

APPEAL NO. 022920
FILED DECEMBER 31, 2002

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing (CCH) was held on October 15, 2002. The hearing officer resolved the disputed issues by deciding that the compensable injury of _____, includes left carpal tunnel syndrome (CTS) and that the appellant/cross-respondent (claimant) did not have disability as a result of the injury of _____. The claimant appeals, arguing that the disability determination is against the great weight and preponderance of the evidence. The carrier responds, urging affirmance. The respondent/cross-appellant (carrier) appeals the extent-of-injury determination, arguing that there was no credible medical evidence establishing that the claimant had left CTS, or that it was the "direct and natural" result of her compensable injury and that the evidence was insufficient to support the determination. The claimant responds, urging affirmance of the extent-of-injury determination.

DECISION

Affirmed.

The claimant had the burden to prove the extent of her compensable injury and that she has had disability as defined by Section 401.011(16). Conflicting evidence was presented on the disputed issues. The hearing officer is the sole judge of the weight and credibility of the evidence. Section 410.165(a). As the finder of fact, the hearing officer resolves the conflicts in the evidence and determines what facts have been established. The hearing officer noted in her statement of the evidence that neither the claimant's nor Dr. H testimony regarding disability was persuasive. The carrier asserts that expert medical evidence should be required to prove causation of CTS. We disagree, and decline to find error on the part of the hearing officer for considering lay testimony about her job-related functions and the medical records in evidence. We conclude that the hearing officer's decision is supported by sufficient evidence and that it is not so against the great weight and preponderance of the evidence as to be clearly wrong and unjust. Cain v. Bain, 709 S.W.2d 175 (Tex. 1986). This is so even though another fact finder might have drawn other inferences and reached other conclusions. Salazar, et al. v. Hill, 551 S.W.2d 518 (Tex. Civ. App.-Corpus Christi 1977, writ ref'd n.r.e.).

We affirm the decision and order of the hearing officer.

The true corporate name of the insurance carrier is **AMERICAN HOME ASSURANCE COMPANY** and the name and address of its registered agent for service of process is

**CORPORATION SERVICE COMPANY
800 BRAZOS, SUITE 750, COMMODORE 1
AUSTIN, TEXAS 78701.**

Margaret L. Turner
Appeals Judge

CONCUR:

Thomas A. Knapp
Appeals Judge

Robert W. Potts
Appeals Judge